

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
029996/027 8721

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In Re Application of Kieffer, et al.

Serial No.
09/804,409

Filing Date
March 12, 2001

Examiner
NYA

Group Art Unit
1615

Title: COMPOSITIONS AND METHODS FOR REGULATED PROTEIN EXPRESSION IN GUT

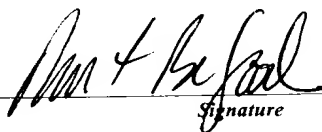
TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Transmitted herewith is:

1) Response to Notice to File Missing Parts of Application; 2) copy of Notice to File Missing Parts of Nonprovisional Application; 3) Declaration and Power of Attorney; 4) Assignment of Interest with Form PTO-1595; 5) corrected drawings; 6) Sequence Listing (hard copy and diskette); 7) Statement to Support Filing and Submission; 8) Petition for Extension of Time; 9) reply postcard.

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 03-3975 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of \$1,527.00
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.


Signature

Robert M. Bedgood
Reg. No. 43,488

Dated: November 6, 2001

I certify that this document and fee is being deposited on November 6, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

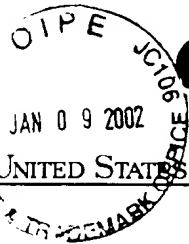

Signature of Person Mailing Correspondence

Linda Anders

Typed or Printed Name of Person Mailing Correspondence

cc: SF Docektng
Roberta Miles

COPY OF PAPERS
ORIGINALLY FILED



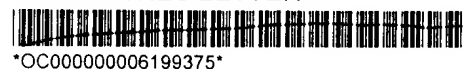
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/804,409	03/12/2001	Timothy J. Kieffer	PW 029996/027 8712

CONFIRMATION NO. 1113

FORMALITIES LETTER



Pillsbury Withrop LLP
Intellectual Property Group
50 Fremont Street
San Francisco, CA 94105

Date Mailed: 06/19/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/16/2002 SMINASS1 00000006 033975 09804409

FILED UNDER 37 CFR 1.53(b)

01 FC:201 370.00 CH
02 FC:202 42.00 CH
03 FC:203 450.00 CH
04 FC:204 140.00 CH
05 FC:205 65.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$724.
 - \$549 for 61 total claims over 20.
 - \$40 for 1 independent claims over 3.
 - \$135 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1144.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a

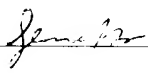
bottom margin of at least 1.0 cm. (3/8 inch);

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.
029996/027 8721

In Re Application Of: **Kieffer, et al.**

COPY OF PAPERS
ORIGINALLY FILED

Serial No.
09/804,409

Filing Date
March 12, 2001

Examiner
NYA

Group Art Unit
1615

Invention: **COMPOSITIONS AND METHODS FOR REGULATED PROTEIN EXPRESSION IN GUT**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
June 19, 2001
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Engene, Inc. is verified small entity.
 - ☐ is/are attached.
 - ☐ was/were filed on _____
- ☐ A separate request for refund.
- ☒ Other (list):

Assignment and Form PTO 1595;
Corrected Drawings
Sequence Listing (hard copy and diskette copy)
Statement to Support Filing and Submission in Accordance with 37 C.F.R. 1.821 - 1.825
Reply Postcard

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)

Docket No.
029996/027 8721

In Re Application Of: Kieffer, et al.

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1615

Invention: **COMPOSITIONS AND METHODS FOR REGULATED PROTEIN EXPRESSION IN GUT**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

☒ Completion of application fees as calculated below:

☒ Utility application filing fee \$370.00

☐ Design application filing fee

☒ Total number of independent claims = 4 \$42.00

☒ Total number of claims = 70 \$450.00

☒ Multiple dependent claims \$140.00

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath \$65.00

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees \$1,067.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: August 19, 2001
Date

until: November 19, 2001
Date

Total time extension fees \$460.00

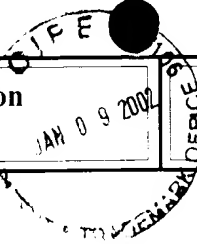
Total fees due \$1,527.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
029996/027 8721

In Re Application Of: Kieffer, et al.

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Serial No.
09/804,409

Filing Date
March 12, 2001

Examiner
NYA

Group Art Unit
1615

Invention: **COMPOSITIONS AND METHODS FOR REGULATED PROTEIN EXPRESSION IN GUT**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

The fee of **\$1,527.00** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **03-3975**
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **03-3975**
A duplicate copy of this sheet is enclosed.


Signature

Robert M. Bedgood
Reg. No. 43,488

Dated: **November 6, 2001**

I certify that this document and fee is being deposited on **November 6, 2001** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Signature of Person Mailing Correspondence

Linda Anders

Typed or Printed Name of Person Mailing Correspondence

cc: **SF Docketing**
Roberta Miles